

Article - Health Occupations

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§2-314.

Subject to the hearing provisions of § 2-315 of this subtitle, the Board may deny a license or limited license to any applicant, reprimand any licensee or holder of a limited license, place any licensee or holder of a limited license on probation, or suspend or revoke a license or limited license if the applicant, licensee, or holder:

(1) Fraudulently or deceptively obtains or attempts to obtain a license or limited license for the applicant, licensee, or holder or for another;

(2) Fraudulently or deceptively uses a license or limited license;

(3) Commits fraud or deceit in the practice of audiology, hearing aid dispensing, or speech-language pathology, or assistance of the practice of speech-language pathology;

(4) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;

(5) Obtains a fee through fraud or misrepresentation;

(6) Directly or indirectly employs any unlicensed person or any person whose license or limited license has been suspended;

(7) Uses or promotes or causes the use of any misleading, deceiving, improbable, or untruthful advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia, or other representation;

(8) In the practice of audiology, hearing aid dispensing, or speech-language pathology, or assistance of the practice of speech-language pathology:

(i) Falsely represents the use or availability of services or advice of a physician; or

(ii) Misrepresents the applicant, licensee, or holder by using the word “doctor” or any similar word, abbreviation, or symbol if the use is not accurate;

(9) Permits another person to use the license of the licensee or limited license of the holder;

(10) Commits any act of unprofessional conduct in the practice of audiology, hearing aid dispensing, or speech–language pathology, or the assistance of the practice of speech–language pathology;

(11) Violates any lawful order given or regulation adopted by the Board;

(12) Violates any provision of this title;

(13) Provides professional services while:

(i) Under the influence of alcohol; or

(ii) Using any narcotic or controlled dangerous substance, as defined in § 5–101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without valid medical indication;

(14) Is disciplined by a licensing or disciplinary authority of any other state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under this section;

(15) Practices audiology, hearing aid dispensing, or speech–language pathology, or assists in the practice of speech–language pathology with an unauthorized person or supervises or aids an unauthorized person in the practice of audiology, hearing aid dispensing, or speech–language pathology, or assistance of the practice of speech–language pathology;

(16) Knowingly makes or files a false report or record in the practice of audiology, hearing aid dispensing, or speech–language pathology, or assistance in the practice of speech–language pathology;

(17) Knowingly fails to file or record any report as required by law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report;

(18) Submits a false statement to collect a fee;

(19) Is professionally, physically, or mentally incompetent;

(20) Promotes the sale of devices, appliances, or goods to a patient so as to exploit the patient for financial gain;

(21) Behaves immorally in the practice of audiology, hearing aid dispensing, or speech–language pathology, or assistance of the practice of speech–language pathology;

(22) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive;

(23) Pays or agrees to pay any sum to any person for bringing or referring a patient;

(24) Fails to submit to a criminal history records check in accordance with § 2–303.1 of this subtitle; or

(25) Supervises or aids an unauthorized individual in the assistance of audiology.

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